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DEPARTMENT OF PLANNING AND LAND USE

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MITIGATED NEGATIVE DECLARATION

May 1, 2008

Project Name: Sanders/W. Lilac Rd.

Project Number(s): TPM 20845/ER 04-02-028

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
 - b. Environmental Analysis Form and attached extended studies for Agricultural Analysis, Archaeological Survey Report, Drainage Plan, and Major Stormwater Management Plan.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. BIOLOGY

1. Prior to approval of grading permits or improvement plans, and prior to issuance of the Parcel Map, the applicant shall:
 - a. Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego an open space easement as shown on the Open Space Exhibit dated **February 2, 2006** on file with the Department of Planning and Land Use as Environmental Review Number ER 04-02-028. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.

The sole exception(s) to this prohibition are:

1. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of

Understanding dated February 26, 1997, between the wildlife agencies and the fire districts, and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.

2. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- b. Prior to issuance of any permit and prior to recordation of the parcel map the applicant shall grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Open Space Exhibit dated **September 25, 2007** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-028. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
1. Decking, fences, and similar facilities.
 2. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
- c. Prior to issuance of any permit and prior to recordation of the parcel map, the applicant shall provide for the approval of the Director of Planning and Land Use evidence that 0.20 acres of coastal sage scrub habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located in North County. Evidence of purchase shall include the following information to be provided by the mitigation bank:
1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
 2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
4. An accounting of the status of the mitigation bank. This shall include the totally amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by the project.

-OR-

Provide for the conservation and habitat management of a minimum of 0.20 acres of coastal sage scrub habitat located in North County. A Resource Management Plan (RMP) for the coastal sage scrub habitat must be submitted and approved by the Director of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- d. Prior to the issuance of any building, grading, or construction permit, or approval of any grading, improvement, or building plans, and prior to recordation of the parcel map, provide evidence to the satisfaction of the Director of Planning and Land Use, that the open space signage has been installed.

The applicant shall submit a statement from a California Registered Engineer, or licensed surveyor that all open space signs along the open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Plan dated **July 6, 2006** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-028 have been installed.

1. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

"Sensitive Environmental Resources"
Disturbance Beyond this Point is Restricted
by Easement Information:
Contact County of San Diego, Department of Planning and Land
Use

Ref: 04-02-028

- e. Prior to the approval of grading or improvement, or building plans and issuance of any permit, provide evidence to the satisfaction of the Director of Planning and Land Use or Public Works, that the following specific environmental notes have been placed on any of the following plan as applicable: grading, and or improvement plan, and or building plans:

“Temporary construction fencing is required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity.”

“Prior to at the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of permanent fencing or walls is required. Provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been installed along the biological open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Plan dated **July 6, 2006** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-028. Evidence shall be site photos and statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.”

“Prior to at the conclusion of grading activities and Final Grading Release or Occupancy of any building: Placement of open space signs is required.

1. Provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space boundary of lots 1 and 2 as shown on the Open Space Fencing and Signage Plan dated **July 6, 2006** on file with the Department of Planning and Land Use as Environmental Review Number 04-02-028.
2. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.”

“Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of coastal sage scrub and southern coast live oak riparian forest habitat during the breeding season of the California gnatcatcher and migratory birds. This is defined as occurring between February 15 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no California gnatcatchers or nesting migratory birds are present in the vicinity of the brushing, clearing or grading.”

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

A. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE A PARCEL MAP IS APPROVED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, AND FILED WITH THE COUNTY RECORDER OF SAN DIEGO COUNTY:

1. THE PARCEL MAP SHALL SHOW AN ACCURATE AND DETAILED VICINITY MAP.

2. ACCESS

- a. The subdivider shall furnish to the County of San Diego, Department of Public Works, recorded documentation showing that the land division is connected to a publicly maintained road by an easement for road purposes. This easement shall be forty feet (40') wide as specified in Section 81.703(a)(2) and/or (b)(1), unless proof is furnished that a lesser width is applicable under Section 81.703(l)(1) of the County Code, and shall be for the benefit and use of the property being divided. Recordation data for said easement shall be shown on the Parcel Map. This requirement applies to off-site access to all proposed parcels.

3. SIGHT DISTANCE

- a. The private road easement, street A, shall be realigned to the west as shown on the approved sight distance letter dated May 23, 2007 to obtain the adequate sight distance along West Lilac Road.
- b. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that: "Physically, there is a minimum adequate unobstructed sight distance in both directions along W. Lilac Road from the proposed private easement road serving the project ("Street A"), for the prevailing operating speed of traffic on W. Lilac Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required." These certifications shall be to the satisfaction of the Department of Public Works.
- c. A safe and adequate sight distance shall be developed at all intersections and driveways to the satisfaction of the Department of Public Roads.

4. PRIVATE ROAD EASEMENTS

- a. The Parcel Map shall show a thirty-eight foot (38') minimum radius cul-de-sac with its center located at the intersection point of the property lines of Parcels 1, 2, 4 and the Designated Remainder Parcel, to the satisfaction of the North County Fire Protection District and the Department of Public Works.
- b. The Parcel Map shall show a minimum forty-foot (40') proposed private road easement (Street B), from the cul-de-sac easterly to Street A, to the satisfaction of the Department of Public Works.
- c. The Parcel Map shall show a minimum forty-foot (40') private road easement (for Street A), from the proposed private road easement (Street B), northerly to W. Lilac Road.

5. ROAD DEDICATIONS

- a. Offer to dedicate the right-of-way required to complete a thirty-foot (30') wide one-half right-of-way width, in accordance with the Public

Road Standards, on each side of the centerline, plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-foot (30') limit for that portion within the land division for W. Lilac Road, including a twenty-foot (20') radius property line corner rounding at the street intersection. The Parcel Map shall be prepared to show the offer being accepted.

- b. Offer to dedicate the right-of-way required to complete a thirty-foot (30') wide one-half right-of-way width, in accordance with the Public Road Standards, on each side of the ultimate centerline [minimum centerline radius five hundred feet (500')], plus the right to construct and maintain slopes and drainage improvements as required beyond the thirty-foot (30') limit for that portion within the land division for W. Lilac Road (SC 270.2), a Rural Light Collector Road, including a twenty-foot (20') radius property line corner rounding at the street intersection. The Parcel Map shall be prepared to show the offer being rejected.
- c. All off map dedications shall be by separate document.
- d. Any offer of dedication or grant of right-of-way shall be free of any burden or encumbrances which would interfere with the purposes for which the dedication or offer of dedication is required, per Section 81.705 (a) of the County Code, at the time of recordation of the Parcel Map.
- e. The subdivider shall relinquish access rights onto W. Lilac Road (SC 270.2) along the project frontage.

6. CIRCULATION ELEMENT ROADS

- a. Prior to preparation of the Parcel Map, contact Route Locations of the Department of Public Works (874-4202) to determine the desired location of the centerline for W. Lilac Road (SC 270.2), which is shown on the Circulation Element of the County General Plan as a Rural Light Collector Road with bike lanes. The following shall be shown on the Parcel Map:
 - (1) The centerline location as approved by the County of San Diego, Department of Public Works.
 - (2) The width of the right-of-way which is thirty-five feet (35') from the centerline and identified by a line drawn at the

appropriate location and labeled, "Limit of Proposed Street Widening." The additional five feet (5') is for a bicycle facility.

- (3) A building line which is sixty-five feet (65') from the centerline of the road and identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."
- (4) Show the ultimate drainage and slope limits on the Parcel Map. A profile and cross-section sufficient to verify these limits shall be submitted to the County of San Diego, Department of Public Works, for review and approval.

7. SPECIAL DISTRICTS/ROAD MAINTENANCE/COVENANTS/
DEVELOPMENT IMPACT FEES

- a. The subdivider shall authorize DPW Lighting District to process the project into the San Diego County Street Lighting District. After recordation of the Parcel Map, the land division shall be transferred, without notice or hearing, to Zone "A" of the San Diego County Street Lighting District.
- b. The subdivider shall provide for maintenance of the on-site and off-site private roads that serve the project through a private road maintenance agreement.

8. FACILITY/UTILITY ARRANGEMENTS

- a. The subdivider shall comply with Section 66436 of the Government Code by furnishing to the County of San Diego, Department of Public Works, a certification from each public utility and each public entity owning easements within the proposed land division stating that: (a) they have received from the subdivider a copy of the proposed Parcel Map; (b) they object or do not object to the filing of the Map without their signature.
- b. Prior to recordation of the Parcel Map, approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

9. FLOODING/DRAINAGE

- a. Lines of inundation to the limits of the 100-year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject To Inundation By The 100-Year Flood" on the Parcel Map.

- (1) The subdivider's civil engineer will provide the necessary hydrology and hydraulics to define the 100-year floodplain limits and annotate the limits on a copy of the Tentative Parcel Map, approved by the County of San Diego, Director of Planning and Land Use. Each parcel shall have a flood-free building site to the satisfaction of the County of San Diego, Department of Public Works. If any of the parcels are found to be devoid of a buildable, flood-free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood-free site. This pertains to watersheds having area of twenty-five (25) or more acres.

- B. BECAUSE THEY HAVE BEEN FOUND NECESSARY FOR THE PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE AREA, THE FOLLOWING PUBLIC IMPROVEMENTS MUST BE COMPLETED, OR A SECURED AGREEMENT EXECUTED, PRIOR TO RECORDING A PARCEL MAP. THE AGREEMENT REQUIRES POSTING SECURITY IN FORM OF A CASH DEPOSIT, IRREVOCABLE LETTER OF CREDIT OR AN INSTRUMENT OF CREDIT VALUED AT, OR MORE THAN, THE ESTIMATED IMPROVEMENT COST. IT ALSO REQUIRES IMPROVEMENTS BE COMPLETED WITHIN TWENTY-FOUR (24) MONTHS OF RECORDING THE PARCEL MAP, AND PRIOR TO GRANTING OF ANY APPROVAL OF DEVELOPMENT OF ANY PARCEL CREATED BY THIS MAP, EXCEPT BUILDING AND ASSOCIATED PERMITS CAN BE ISSUED REQUIRING COMPLETION OF PUBLIC IMPROVEMENTS PRIOR TO OCCUPANCY OF THE BUILDING.

1. PUBLIC ROAD IMPROVEMENTS

- a. West Lilac Road, along the project frontage, shall be improved in accordance with Public Road Standards to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base and Portland cement concrete curb,

gutter, and sidewalk, with face of curb at twenty feet (20') from centerline, to the satisfaction of the Department of Public Works. Traffic striping for transition asphalt concrete and taper transition to match existing asphalt concrete pavement shall be to the satisfaction of the Department of Public Works

- b. All new and existing utility distribution facilities, including cable television lines, shall be placed underground. All utility installations shall be completed before surfacing the streets and installing concrete curbs, gutters, and sidewalks.
- c. Portland cement concrete cross gutters shall be constructed where water crosses the roadways.
- d. The exact depth of improved base material shall be based on soil tests approved by the County of San Diego, Department of Public Works.
- e. Install all street name signs.
- f. A Construction Permit shall be obtained for the work within the right-of-way.
- g. Plans for public road improvements shall be prepared by a registered civil engineer and submitted to the County of San Diego, Department of Public Works. The following items shall also apply:
 - (1) Street alignment and grade, including the change of any existing or proposed street alignment and grade, shall be as required by the County of San Diego, Department of Public Works.
 - (2) Sight distance at all intersections shall conform to the intersectional sight distance criteria as provided by the County of San Diego Public Road Standards.
 - (3) Plans and specifications for the improvement of all streets, rights-of-way, drainage easements and all culverts, drainage channels and all private easements shall meet with the approval of the County of San Diego, Department of Public Works.

- h. The County Engineer will assign a road survey number to the off-site public roads being created. The subdivider shall show the centerline monumentation set, right-of-way lines and ties to adjacent property on the Parcel Map or file with the County Recorder a Record of Survey, after approval by the County Engineer.
- C. THE FOLLOWING IMPROVEMENTS MAY BE COMPLETED PRIOR TO RECORDING OF A PARCEL MAP OR THEY MUST BE LISTED ON THE PARCEL MAP AND THE SUBDIVIDER SHALL EXECUTE A "COVENANT OF IMPROVEMENT REQUIREMENTS" WHICH SHALL LIST THE CONDITIONS THAT REMAIN TO BE COMPLETED. THE COVENANT SHALL BE RECORDED BY THE COUNTY OF SAN DIEGO, DEPARTMENT OF PUBLIC WORKS, PRIOR TO RECORDING THE PARCEL MAP. THE COVENANT SHALL BE NOTED ON THE PARCEL MAP.

(IMPROVEMENT PLANS AND COST ESTIMATES ARE NOT DEFERRABLE)

THE COVENANT OF IMPROVEMENT REQUIREMENTS SHALL NOTE THE ESTIMATE OF COST TO INSTALL AND/OR CONSTRUCT ANY DEFERRED IMPROVEMENTS. THE ESTIMATE OF COST SHALL BE BASED UPON IMPROVEMENT PLANS. THE PLANS SHALL INCLUDE A SIGNED STATEMENT BY THE PRIVATE ENGINEER-OF-WORK STATING THAT THE PLANS ARE SUFFICIENT FOR THE PURPOSE OF PROVIDING THE REQUIRED ESTIMATE OF THE COST FOR THE PRIVATE EASEMENT ROADS AND PRIVATE FACILITIES. THE ESTIMATE SHALL HAVE THE ENGINEER'S SIGNATURE AND STAMP ON THE FRONT PAGE ALONG WITH A STATEMENT THAT IT IS THE ENGINEER'S ESTIMATE OF THE APPROXIMATE COST AS OF THE DATE THE ESTIMATE WAS PREPARED FOR THE PRIVATE ROAD AND FACILITIES REQUIRED BY THE FINAL NOTICE OF APPROVAL AND THE SAN DIEGO COUNTY STANDARDS FOR PRIVATE STREETS. SAID COVENANT SHALL BE TITLED "COVENANT OF IMPROVEMENT REQUIREMENT, A BUILDING PERMIT PROHIBITION".

IF THE COVENANT HAS BEEN RECORDED, NO BUILDING PERMIT AND NO FURTHER GRANT OF APPROVAL FOR DEVELOPMENT MAY BE ISSUED UNTIL THE SUBDIVIDER PRESENTS A COPY OF THE RELEASE OF IMPROVEMENT REQUIREMENTS RECORDED BY THE DEPARTMENT OF PUBLIC WORKS, STATING THAT ALL OF THE REQUIRED IMPROVEMENTS LISTED IN THE COVENANT OF

IMPROVEMENT REQUIREMENTS AND NOTED ON THE PARCEL MAP HAVE BEEN COMPLIED WITH, EXCEPT A GRADING OR CONSTRUCTION PERMIT AND/OR A PERMIT TO INSTALL UTILITIES WITHIN THE PRIVATE EASEMENT MAY BE ISSUED. (NOTE: FOR WATER STORAGE FACILITIES AND/OR FUEL BREAKS, A RELEASE OF IMPROVEMENT REQUIREMENTS IS ONLY REQUIRED TO STATE THAT THE IMPROVEMENTS HAVE BEEN COMPLIED WITH FOR THE PARTICULAR PARCEL FOR WHICH A BUILDING PERMIT IS BEING REQUESTED.) [DPW] [DPLU]

1. PRIVATE ROAD IMPROVEMENTS [DPW] [FIRE]

- a. The cul-de-sac shall be graded to a radius of thirty-eight feet (38') and improved with asphalt concrete to a radius of thirty-six feet (36') to the satisfaction of the North County Fire Protection District and the County of San Diego, Department of Public Works.
- b. The to-be-named private easement road (Street B), from the proposed cul-de-sac easterly to Street A, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred (100) or less trips shall apply, to the satisfaction of the Department of Public Works.
- c. The to-be-named private easement road (Street A), from Street B northerly to West Lilac Road, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The Improvement and Design Standards of Section 3.1(C) of the County Standards for Private Streets for one hundred one (101) to seven hundred fifty (750) trips shall apply, to the satisfaction of the Department of Public Works.
- d. Street A shall be realigned at West Lilac Road to obtain adequate sight distance for the prevailing speed along West Lilac per Sanders evidence of adequate sight distance along West Lilac letter dated May 23, 2007 to the satisfaction of the Department of Public Works.
- e. Plans and a processing deposit for the private road improvements, as determined by the County of San Diego, Department of Public Works, shall be submitted to the Improvements and Grading Counter of the County of San Diego, Department of Public Works.

All improvement plans shall be designed in accordance with County Standards for Private Roads.

- f. Prior to construction of private road improvements, the subdivider shall notify the County of San Diego, Department of Public Works, submit copies of the blue-line plans, and post an inspection deposit.
- g. Street name signs, with County approved street names: one shall be installed and located at the intersection of W. Lilac Road and Street A; and the other one shall be installed and located at the intersection of Street A and proposed to-be-named private easement road, per San Diego County Design Standards DS-13.
- h. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The to-be-named private easement road, (Street B), including all slopes and the cul-de-sac, from the proposed cul-de-sac easterly to Street A, is constructed entirely within the easement, including drainage structures, for the benefit of the land division." NOTE: If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or slope rights/a letter of permission shall be obtained/granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."
- i. A registered civil engineer or a licensed land surveyor shall provide a signed statement that: "The private easement road (Street A), including all slopes, from the proposed private road easement to W. Lilac Road, is constructed entirely within the easement, including drainage structures, for the benefit of the land division." NOTE: If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or slope rights/a letter of permission shall be obtained/granted and the engineer or surveyor shall further certify that: "Slope rights/a letter of permission has been obtained/granted for work outside of the easement limits."
- j. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those

areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Department of Public Works.

- k. A permit shall be obtained from the County of San Diego, Department of Public Works for the improvements to be made within the public right-of-way. The connection of the private easement road to the County road will have to match the construction of the public road. A copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, shall be submitted to the Land Development Counter Services of the County of San Diego, Department of Public Works.
- l. Street B and Street A, private easement roads shall have an unobstructed vertical clearance of thirteen feet, six inches (13' 6") to the satisfaction of the North County Fire Protection District.

D. OTHER REQUIREMENTS

- 1. The Basis of Bearings for the Parcel Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. To be in compliance with the Public Resources Code, all Parcel Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.
- 2. Prior to January 1, 2000, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the County of San Diego, Director of Public Works (Refer to San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

After December 31, 1999, a survey for any Parcel Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control

book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineers's certificate as shown on the final map.

3. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Department of Public Works.

E. WAIVER AND EXCEPTIONS

1. This subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County of San Diego Subdivision Ordinance, the County of San Diego Public and Private Road Standards and all other required ordinances of San Diego County except for a waiver or modification of public road improvements requirements on **W. Lilac Road** along project frontage (Section C.1.).

County of San Diego Subdivision Ordinance, Section 81.703(a)(1), to dedicate and improve streets in accordance with San Diego County Standards. This modification is granted because of the following reasons:

- a. The minor subdivision fronts on an established road in an established neighborhood.
- b. Less than fifty percent (50%) of the parcels on this block can be further divided.

- c. It is unlikely that there will be any future road widening by existing owners or by future development.
- d. There are no curbs, gutters, sidewalks, or road widening improvements in the immediate vicinity and widening the road to ultimate width would be inconsistent with the existing roads in the area.
 - (1) Spot improvements would be undesirable because of:
 - (a) Road transitional problems;
 - (b) Drainage pickup and discharge (no continuity); and
 - (c) Utility relocation problems.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

Rosemary Rowan, Planning Manager
Regulatory Planning Division

RR:AL